

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

MARINA CANSINO,

Plaintiff,

v.

No. 1:19-cv-454

**NEW MEXICO DEVELOPMENTAL
DISABILITIES PLANNING COUNCIL, JOHN BLOCK III,
MARIA BOURASSA, and BARBARA IBANEZ**

Defendants.

NOTICE OF REMOVAL

1. Pursuant to 28 U.S.C. §§ 1441, 1443, and 1446, Defendant New Mexico Developmental Disabilities Planning Council, herein exercises its right with the consent of all served Defendants to remove this action from the Second Judicial District, County of Bernalillo, State of New Mexico, where the case is now pending by the name and style of *Marina Cansino v. New Mexico Developmental Disabilities Planning Council, John Block III, Maria Bourassa, and Barbara Ibanez*, No. D-202-CV-2018-08570. Plaintiff's action arises, in part, out of alleged violations of 42 U.S.C. § 2000e-2, and the Fourth and Fourteenth Amendments to the United States Constitution.

2. This Court has original jurisdiction as provided in 28 U.S.C. § 1331 in that the cause arises under the United States Constitution.

3. On April 12, 2019, Plaintiff served Defendant New Mexico Developmental Disabilities Planning Council. Upon information and belief, as of this date, Plaintiff has not served all Defendants.

4. This Notice of Removal is served within thirty (30) days of service on Defendant New Mexico Developmental Disabilities Planning Council, in accordance with the requirements of 28 U.S.C. § 1446.

5. Pursuant to the provisions of 28 U.S.C. § 1446, Defendant attaches and incorporates by reference copies of the following pleadings filed in this action:

- a. Notice of Appeal and Complaint for Violation of New Mexico Human Rights Act and New Mexico Whistleblower Protection Act (Exhibit A);
- b. Summons issued to Defendant New Mexico Developmental Disabilities Planning Council. (Exhibit B).

6. Defendant New Mexico Developmental Disabilities Planning Council's is entitled to have this cause removed from the Second Judicial District, County of Santa Fe, State of New Mexico. Defendant New Mexico Developmental Disabilities Planning Council does not waive any jurisdictional or other defense it may be entitled to by filing this Notice of Removal.

7. Written notice of the filing of this Notice is being sent contemporaneously to Plaintiff as required by law.

8. A true and accurate copy of this Notice will be filed with the clerk of the Second Judicial District Court, County of Bernalillo, State of New Mexico, as provided by law.

WHEREFORE, Defendant New Mexico Developmental Disabilities Planning Council prays that this action be removed to Federal Court, that this Court accept jurisdiction and that the action be placed on the docket of this Court for further proceedings, the same as though this action has been initiated in this Court.

Respectfully submitted,

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*Attorneys for New Mexico Developmental
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CERTIFICATE OF SERVICE

I hereby certify that I did on this 17th day of May 2019, cause a true and correct copy of the foregoing *Notice of Removal* to be filed electronically through the Court's Electronic Filing System. Notice of this filing will be sent to counsel of record for Plaintiff by e-mail on:

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Attorney for Plaintiff Marina Cansino

/s/ Holly Agajanian

Holly Agajanian